

REMARKS

This paper is responsive to the Advisory Action dated July 23, 2010 wherein claims 27-68 were rejected and claims 1-26 stand withdrawn pursuant to a requirement for restriction/election. By this paper, claims 27 and 47 have been amended. No new matter has been added. Claims 27-68 remain pending in this application. In view of the following remarks, Applicants request further examination and reconsideration of the present patent application.

35 USC 102

The Examiner has rejected claims 27-33, 36-39, 47-51, 55-59, 67 and 68 under 35 USC §102(c), as being anticipated by Catan, US Pub. No. 2002/0143643.

Independent claim 27 has been amended to recite inter alia “a plurality of electronic asset identification and intelligent sensing devices, wherein the electronic asset identification and intelligent sensing device comprises a processing unit for processing the environmental or operating conditions.” The support for the amendment can be found in applicants’ specification, at for example, in FIG. 10 and paragraph 0086. Similarly, amended independent claim 47 recites inter alia “a processing unit operatively connected to the sensor element, wherein the processing unit includes at least recording, storing and processing capabilities.” Applicants respectfully submit that Catan does not teach, suggest or disclose the invention as recited in independent claims 27 and 47 and specifically the recitations of a plurality of electronic asset identification and intelligent sensing devices.

The Examiner referred to item 225 and specifically to a MRL device T of Catan as electronic asset identification and intelligent sensing device as in the pending claims. Applicants respectfully stress that MRL device T of Catan can not be interpreted as an electronic asset identification and intelligent sensing device as in pending claims because it does not include any processing unit for processing the environmental and operating conditions. While rejection claim 47, the Examiner referred to paragraph 164 of Catan to suggest the processing unit as in the pending claims. However, paragraph 164 of Catan merely suggests that a data can be stored anywhere in the system. It does not disclose or suggests that the MRL device T includes a processor as in the pending claims.

Accordingly, Applicants respectfully stress that MRL device of Catan can not be equated with the electronic asset identification and intelligent sensing device of the pending claims. For at least these reasons, among others, Applicants respectfully request withdrawal of the rejections of claims 27 and 47 under 35 U.S.C. § 102. Claims 28-33, 36-39, 48-51, 55-59, 67 and 68 depend directly or indirectly from claims 27 and 47 are also clearly allowable at least by virtue of their dependency from an allowable base claim.

35 USC §103

The Examiner rejected claim 34 under 35 USC §103(a), as being unpatentable over Catan in view of Donner et al. (U.S. Patent No. 7, 216,109), claims 35, 52-54 under 35 U.S.C 103(a) as being unpatentable over Catan in view of Ulrich et al. (U.S. Patent No. 6,344,794), claims 40, 41, 44, 46, 60, 61, 64 and 66 as being unpatentable over Catan in view of Katagishi et al. (U.S. Publication No. 2003/0120745), claims 42-43, 62-63 as being unpatentable over Catan in view of Katagishi and further in view of official notice and claims 45 and 65 as being unpatentable over Catan in view of Katagishi and further in view of Radican (U.S. Patent No. 6,148,291).

As discussed above, Catan fails to suggest or discuss asset identification management and intelligent sensing devices as in independent claim 27 and 47 of the pending application. Further, Donner, Ulrich, Katagishi or Radican fails to suggest or discuss the referred limitation. Thus, none of the cited references either taken alone or in any hypothetical combination, specifically disclose or suggest or teach the invention as recited in independent claims 27 and 47. Accordingly, Applicants respectfully submit that a prima facie case of obviousness cannot be established for claims 34, 35, 40-46, 52-54 and 60-66 depend directly from independent claims 27 and 47.

Accordingly, Applicants submits that the combination of the cited references would not render the subject matter of claims 27 and 47 and claims 34, 35, 40-46, 52-54 and 60-66 that depend therefrom, obvious. Applicants respectfully request that the Examiner withdraw the rejection under 35 USC 103.

Summary

For the reasons set out above, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and allowance of the application are, therefore, respectfully requested.

If the Examiner believes that anything further is necessary to place the application in better condition for allowance, the Examiner is kindly asked to contact Applicants undersigned representative at the telephone number below.

Respectfully submitted,

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Date: 2 August 2010